
Disconnection Processes for MDU Common Areas

1 Background

MDU Common Areas (**MDU CAs**) are the subject of an ongoing disconnection deferral under the Migration Plan (**Plan**). Until now, this deferral had provided for mandatory disconnection to occur at or before 24 months after the End of Rollout Date. As at 25 January 2022, End of Rollout has yet to occur.

NBN Co and Telstra have executed an agreement that provides Wholesale customers with clarity and certainty of the disconnection arrangements for MDU CAs. For MDU CAs in a Rollout Region where the Disconnection Date is prior to 18 March 2022 (including for Extended Fire or Lift Services located in MDU CAs which will be disconnected in accordance with the processes set out in Telstra's proposed amendments to clause 15.5 of the Plan¹), the **MDU CA Disconnection Date (MDU CA DD)** will be 18 March 2022. For MDU CAs and Extended Fire or Lift Services in a Rollout Region where the Rollout Region Disconnection Date (**RRDD**) is on or after the MDU CA DD, the respective disconnection date will be the RRDD.

This agreement also introduces the disconnection arrangements for premises that no longer hold an MDU CA status. Upon the premises having its MDU CA status removed, it will result in the premises being treated as an ordinary premises. The disconnection and notification arrangements for such premises are described in further detail below.

In accordance with clause 1.4(e) of the Plan, this document sets out the disconnection processes that will apply to any Copper Services and HFC Services (**Services**) at MDU CAs that remain connected to Telstra legacy copper and HFC networks as at the MDU CA DD and also those that no longer hold an MDU status at any time before or after the MDU CA DD.

Telstra intends to vary clause 15.1A of the Plan to introduce In-Train Order arrangements for MDU CAs located in a Rollout Region where the Disconnection Date for that Rollout Region is prior to 18 March 2022. The variations intend to amend the definition of In-Train Order Premises in clause 15.1A of the Plan to include orders received for MDU CAs located in a Rollout Region where the Disconnection Date for that Rollout Region is prior to 18 March 2022.

References to clauses 15.1A and 15.5 of the Plan in this document are subject to the ACCC's approval of Telstra's proposed amendments to the Plan submitted to the ACCC on 20 December 2021.

Explanatory note 1: Disconnection process following MDU CA DD on 18 March 2022

The Migration Plan currently provides that MDU CAs must be disconnected on or before the date that is 24 months after the End of Rollout Date. Telstra and NBN Co have subsequently agreed to amend this arrangement to align with disconnection processes for regular rollout regions and special service disconnection dates where on or after the MDU CA DD. Telstra intends to vary 1.4 (e) of the Migration Plan to support this.

¹ Extended Fire or Lift Services will be disconnected on the catch-up Extended Fire or Lift Disconnection Date. As the catch-up Extended Fire or Lift Disconnection Date is the same as the MDU CA Disconnection Date (i.e. 18 March 2022), for simplicity in this document we refer only to the MDU CA Disconnection Date.

2 Application

2.1 Application of these disconnection processes

- (a) For clarity, disconnection processes contained in this document apply to all MDU CAs (including for Extended Fire or Lift Services located in MDU CAs which will be disconnected in accordance with the processes set out in clause 15.5 of the Plan), irrespective of the Disconnection Date for the Rollout Region they reside in, including MDU CAs that have subsequently been reclassified as an ordinary Premises.

3 Disconnection arrangements

3.1 Disconnection Date for MDU Common Areas

- (a) Subject to clause 3.2 applying, the Disconnection Date for MDU CAs will be:
 - (i) for a Premises in the Proposed Fixed Line Footprint List (and Fixed Line Footprint) in a Rollout Region where the Disconnection Date is prior to MDU CA DD, the MDU CA DD; and
 - (ii) for a Premises in the Proposed Fixed Line Footprint List (and Fixed Line Footprint) in a Rollout Region where the Disconnection Date is on or after MDU CA DD, the Disconnection Date that applies to the Rollout Region in which that Premises is located.

3.2 Disconnection Date for Premises that no longer hold an MDU CA status

- (a) The Disconnection Date for MDU CAs that have subsequently been re-classified by NBN Co as an ordinary Premises will be:
 - (i) for a Premises for which NBN Co notifies Telstra on or before the date that is six months prior to the Disconnection Date for the Rollout Region in which that Premises is located, the Disconnection Date that applies to the Rollout Region in which that Premises is located; and
 - (ii) for a Premises for which NBN Co notifies Telstra after the date that is six months prior to the Disconnection Date for the Rollout Region in which that Premises is located, the later of:
 - (A) 150 Business Days after the Disconnection Date for the Rollout Region in which that Premises is located; and
 - (B) the date that is no earlier than 80 Business Days after the date Telstra notifies the Wholesale customer.

4 Communication with Wholesale Customers prior to Disconnection of MDU Common Areas

4.1 6 Month Disconnection Lists notified to Wholesale Customers

- (a) Where Telstra continues to supply Services to a Wholesale Customer at MDU CAs 6 months before the MDU CA DD, Telstra will notify that Wholesale Customer of those relevant MDU CAs which Telstra expects to be subject to disconnection during the MDU CA Principal Disconnection Window (6 Month MDU CA Disconnection List), whether or not Telstra had already provided earlier notification of disconnection to that Wholesale Customer.
- (b) Telstra will use reasonable efforts to notify Wholesale Customers of the 6 Month MDU CA Disconnection List within 5 Business Days of the 6 Month MDU CA Disconnection List being produced by Telstra Operations.

4.2 Dispute process

- (a) Within 20 Business Days of Telstra providing a Wholesale Customer with a 6 Month MDU CA Disconnection List, the Wholesale Customer may notify Telstra of any Services on the 6 Month MDU CA Disconnection List that the Wholesale Customer considers should not be subject to Managed Disconnection during the MDU CA Principal Disconnection Window due to a data error in respect of the service information associated with an MDU CA on the 6 Month MDU CA Disconnection List.
- (b) The Wholesale Customer may not raise a dispute in respect of an MDU CA on the 6 Month MDU CA Disconnection List on any basis other than as set out in subparagraph (a) above. For clarity, any concern as to whether or not a relevant MDU CA is passed or NBN Serviceable should be referred by a Wholesale Customer to NBN Co or their wholesale provider over the NBN.
- (c) Telstra will respond to any dispute notified to it by a Wholesale Customer under clause 4.2 within 10 Business Days of receiving notice (or as extended by agreement with the Wholesale Customer) and will notify the Wholesale Customer whether or not Telstra agrees to reflect the requested change in the 3 Month MDU CA Disconnection List (referred to in clause 4.2(e)).
- (d) If Telstra does not agree to reflect the change in the 3 Month MDU CA Disconnection List, as requested by a Wholesale Customer, the parties will use reasonable endeavours to resolve the issue.
- (e) If the parties have failed to resolve a dispute as to whether a Service at an MDU CA is to be included in the 3 Month MDU CA Disconnection List by the date which is 5 Business Days before the 3 Month MDU CA Disconnection List is due to be notified to Wholesale Customers under clause 4.3(c), then Telstra is permitted to include the disputed Service in the 3 Month MDU CA Disconnection List.
- (f) If the MDU CA is in a Rollout Region which has a Disconnection Date which is after the MDU CA DD, then the dispute process set out in clause 3.2 of Required Measure 2 will apply.

4.3 Further MDU CA Disconnection Lists notified to Wholesale Customers

- (a) Telstra will update the 6 Month MDU CA Disconnection List each month up until the date that is two months before the MDU CA DD to include any active MDU CAs Telstra continues to supply to a Wholesale Customer which Telstra expects to be subject to disconnection during the MDU CA Primary Disconnection Window (**Further MDU CA Disconnection List**).

- (b) Where Telstra continues to supply a Service at an MDU CA to a Wholesale Customer that is included on a Further MDU CA Disconnection List, Telstra will notify that Wholesale Customer of that Further MDU CA Disconnection List, irrespective of whether or not Telstra had already provided any earlier notification of disconnection to that Wholesale Customer.
- (c) Telstra will use reasonable efforts to notify Wholesale Customers of each Further MDU CA Disconnection List within 5 Business Days of the relevant Further Disconnection List being produced by Telstra Operations.
- (d) Notification to Wholesale Customers will be provided via the Wholesale Customer Portal.
- (e) The Further MDU CA Disconnection List updated at the date that is 3 months prior to the MDU CA DD is also known as the 3 Month MDU CA Disconnection List.

4.4 Notification of disconnection to Wholesale Customers where the Disconnection Date for the Rollout Region is after the MDU Common Area Disconnection Date

- (a) Where the Disconnection Date for a Rollout Region for an MDU CA premises is on or after the MDU CA DD, Telstra will notify Wholesale Customers of those relevant Services in accordance with the communication process set out in clause 3 of Required Measure 2.

4.5 Notification to Wholesale Customers where a Premises no longer holds an MDU Common Area status

- (a) Where a Premises is no longer designated as an MDU Common Area on or before the date that is six months prior to the Disconnection Date for the Rollout Region it resides in, the Premises will be subject to disconnection arrangements following RRDD and accordingly will be notified in accordance with the communication process set out in clause 3 of Required Measure 2.
- (b) Where a Premises is no longer designated as an MDU Common Area on a date that is after six months prior to the Disconnection Date for the Rollout Region it resides in, the Premises will be subject to the disconnection timeframes outlined in 3.2 and will be notified by Telstra to the Wholesale Customer at least 80 Business Days before that Disconnection Date.

4.6 Notification to Wholesale Customers where the MDU CA is an In-Train Order Premises

- (a) Where the MDU CA is located in a Rollout Region where the Disconnection Date for that Rollout Region is prior to 18 March 2022 and is determined to be an In-Train Order Premises in accordance with clause 15.1A or clause 15.5 of the Plan, the In-Train Order Premises will be subject to the disconnection and notification arrangements in accordance with the processes set out in clause 15.1A of the Plan.

5 Commencement of Disconnection of MDU Common Areas

5.1 MDU CA Final Disconnection List

- (a) As soon as Telstra is notified by NBN Co of MDU CA Premises that do not form part of the final Fixed Footprint List, Telstra will update its database accordingly.
- (b) Telstra Operations will create a list specifying all the Services that remain active at MDU CAs in the final Fixed Footprint List, as understood by Telstra as at the date that is 1 month before the MDU CA DD (the MDU CA Premises Address List).
- (c) Following creation, the MDU CA Premises Address List will have the following Premises and Copper Services removed:

- (i) MDU CAs in a Rollout Region for which a Disconnection Date will not occur before the MDU CA DD;
- (ii) any Special Services which will not have been subject to disconnection obligations prior to the MDU CA DD;
- (iii) any Services supplied to Affected Premises in the Rollout Region on the Disconnection Date for MDU CAs but only to the extent that Telstra is prevented by law from ceasing the provision of those Copper Services to that Affected Premises and disconnecting the Premises;
- (iv) any MDU CAs located in a Rollout Region where the Disconnection Date for that Rollout Region is prior to 18 March 2022 and determined to be In-Train Order Premises in accordance with clause 15.1A or clause 15.5 of the Plan;

and will be the **MDU CA Final Disconnection List**.

5.2 Final Notification for Wholesale Customers before the Disconnection Date

- (a) Telstra Wholesale will notify Wholesale Customers of any Services supplied at MDU CAs on the MDU CA Final Disconnection List that are to be disconnected in the course of Managed Disconnection during the MDU CA Principal Disconnection Window.
- (b) Telstra will use reasonable efforts to notify Wholesale Customers of the MDU CA Final Disconnection List within 5 Business Days of the MDU CA Final Disconnection List being produced by Telstra Operations.
- (c) Notification to Wholesale Customers will be provided via the Wholesale Customer Portal.

6 Disconnection of MDU Common Areas

6.1 Disconnection arrangements

Telstra will:

- (a) disconnect all MDU CAs that are required to be disconnected as set out in the MDU CA Final Disconnection List during the MDU CA Principal Disconnection Window; and
- (b) for MDU CAs located in a Rollout Region where the Disconnection Date for that Rollout Region is prior to 18 March 2022 and which are determined to be In-Train Order Premises in accordance with clause 15.1A or clause 15.5 of the Plan, disconnect the MDU CAs in accordance with the processes set out in clause 15.1A of the Plan for In-Train Order Premises.

7 Managed Disconnection of MDU Common Areas

7.1 Managed Disconnection

- (a) For the purposes of these processes, the **MDU CA Principal Disconnection Window** refers to the period:
 - (i) where the Service is not an Extended Fire or Lift Service, on and from 1 Business Day after the MDU CA DD up to and including the date that is 55 Business Days after the MDU CA DD; and
 - (ii) where the Service is an Extended Fire or Lift Service, on and from 1 Business Day after the MDU CA DD up to and including the date that is 75 Business Days after the MDU CA DD.

- (b) Telstra will disconnect:
 - (i) all MDU CAs that are required to be disconnected as set out in the MDU CA Final Disconnection List during the MDU CA Principal Disconnection Window; and
- (c) Disconnections during the MDU CA Principal Disconnection Window will occur in two stages:
 - (i) service disconnection; followed by,
 - (ii) permanent disconnection.

The process involved in each stage is described in clauses 7.2 and 7.4.

7.2 Service disconnection

- (a) Upon receiving the MDU CA Final Disconnection List from Telstra Operations, Telstra will commence the Service disconnection of all MDU CAs on that list supplied to a Wholesale Customer on the date that is:
 - (i) where the Service is not an Extended Fire or Lift Service, 50 Business Days after the MDU CA DD and, where practicable, complete disconnection of these Services by the date that is 55 Business Days after the Disconnection Date; and
 - (ii) where the Service is an Extended Fire or Lift Service, 70 Business Days after the MDU CA DD and, where practicable, complete disconnection of these Services by the date that is 75 Business Days after the Disconnection Date,

(each an **MDU CA Service Disconnection Phase**).
- (b) Telstra Wholesale carries out the MDU CA Service Disconnection Phase in order to prepare all relevant Services that appear on the MDU CA Final Disconnection List for permanent disconnection, for example by:
 - (i) rejecting and removing all pending orders from Telstra's systems;
 - (ii) carrying out all required steps to disconnect the Services in Telstra's provisioning and billing systems; and
 - (iii) monitoring and managing any errors occurring during the first two steps (i) and (ii) above throughout the Service Disconnection Phase.

7.3 Reconnection where disconnection not required

- (a) For clarity, nothing in these processes limits Telstra's ability to build a new Copper Path or Reconnect a Copper Path or HFC Line to a Premises where the pre-existing Copper Path or HFC Line was not required to be disconnected in accordance with clause 19 of the Plan.

7.4 Permanent disconnection

- (a) After the MDU CA Service Disconnection Phase and up until the end of the relevant MDU CA Principal Disconnection Window, Telstra Operations will perform permanent disconnection of the relevant Copper Paths and HFC Lines within Telstra's systems for all MDU CAs that appear on the MDU CA Final Disconnection List.
- (b) Permanent disconnection of all MDU CAs appearing on the MDU CA Final Disconnection List will occur regardless of activities completed during the preceding MDU CA Service Disconnection Phase.

- (c) Telstra Operations will manage the permanent disconnection processes on a day-to-day basis during the permanent disconnection phase to efficiently allocate available resources and respond to operational issues as they arise. This may require Telstra to change the sequencing of disconnection of Services on the MDU CA Final Disconnection List during the permanent disconnection phase. Telstra is not required to assign a specific date for permanent disconnection of each Service within the MDU CA Principal Disconnection Window.
- (d) Telstra will monitor each Rollout Region to ensure that all MDU CAs on the MDU CA Final Disconnection List are permanently disconnected by as soon as reasonably practicable after the end of the MDU CA Principal Disconnection Window.
- (e) Where disconnection orders are identified as having not been processed due to an error, these will then be corrected and re-submitted into Telstra's systems. A check will be conducted to ensure the service is disconnected. This process will be repeated until the relevant MDU CA is permanently disconnected.

7.5 Disconnection of MDU CAs which are In-Train Order Premises

- (a) Where the MDU CA is located in a Rollout Region where the Disconnection Date for that Rollout Region is prior to 18 March 2022 and is determined to be an In-Train Order Premises in accordance with clause 15.1A or clause 15.5 of the Plan, Telstra will disconnect that In-Train Order Premises in accordance with the processes set out in clause 15.1A of the Plan.

8 Disconnection of Remaining MDU Common Area Premises

8.1 Disconnection of MDU Common Areas in regions with a Disconnection Date that is on or after the MDU CA DD

- (a) In accordance with clause 1.4(e) of the Plan, if the Disconnection Date for a Rollout Region in which an MDU CA is being supplied is on or after the MDU CA DD, then Telstra will disconnect any remaining MDU CAs following the Rollout Region Disconnection Date in accordance with the same disconnection processes that apply to standard services in Required Measure 2.